

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

GERALD PARRILLO

Vs.

OPTION ONE MORTGAGE CORPORATION,
SAND CANYON CORPORATION, AMERICAN
HOME MORTGAGE SERVICING
CORPORATION, DEUTSCHE BANK
NATIONAL TRUST COMPANY, AS TRUSTEE
FOR THE CERTIFICATE HOLDERS OF
SOUNDVIEW HOME LOAN TRUST,
2006-OPT3, ASSET BACKED CERTIFICATES,
SERIES OPT3

C.A. No. 09-577S

**DEFENDANT AMERICAN HOME MORTGAGE SERVICING CORPORATION AND
DEUTSCHE BANK NATIONAL TRUST COMPANY'S MEMORANDUM IN
OPPOSITION TO CONSOLIDATION**

The defendants, American Home Mortgage Servicing Corporation and Deutsche Bank National Trust Company, as Trustee For the Certificateholders of Soundview Home Loan Trust, 2006-OPT3, Asset Backed Certificates, Series OPT3 oppose consolidation of this case with any other pending matters, including but not limited to, the four cases identified below, and the three MERS cases identified as consolidated on the Court's Notice of Conference to Consider Consolidation:

Tracy et al. v. Deutsche Bank National Trust Company, et al. C.A. No. 10-24 ML

Mastrostefano v. American Home Mortgage Servicing, Inc. et al. CA No. 10-160 ML

Medeiros et al. v. Option One Mortgage Corporation et al. C.A. No. 10-68 ML

Rezendes et al. v. Option One Mortgage Corporation et al., C.A. NO. 10-215 ML

In support of this objection, the defendants assert:

1. Mortgage Electronic Registration Systems, Inc. (“MERS”) is not a party to this suit, nor the four cases identified specifically above. Issues concerning MERS will not be determinative of these cases, and consolidation of the MERS and non-MERS cases will result in confusion and wasted resources without any benefit to either the Court or the parties.

2. While there is some overlap between this case and the four cases identified above in that all five cases involve efforts to invalidate foreclosures that have already been held, these cases do not share a commonality of interest sufficient to support consolidation. Each loan at issue has its own history from origination to assignment. Each mortgage was foreclosed separately. The alleged problems with the assignments are specific to each separate assignment, and will require individualized proof.

3. These five cases are at different states in litigation. Both Parrilo and Medeiros have a scheduling order in effect, while Tracy, Mastrostefano and Rezendes do not. Discovery closure in Parrillo is currently set for September 13, 2010 after receiving an extension from the Court. In addition, two settlement conference calls have already been held with Magistrate Judge Almond relative to Parrillo. Consolidation at this point would only serve to delay resolution of this matter.

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR THE
CERTIFICATE HOLDERS
OF SOUNDVIEW HOME LOAN TRUST,
2006-OPT3, ASSET BACKED
CERTIFICATES, SERIES OPT3 and
AMERICAN HOME MORTGAGE
SERVICING CORPORATION

By their Attorneys,

/s/ Ranen S. Schechner

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CERTIFICATE OF SERVICE

I, Ranen S. Schechner, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on July 19, 2010.

/s/ Ranen S. Schechner

Ranen S. Schechner